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SERIES III No. 13

OFFICIAL GOVERNMENT OF GOA GAZETTE



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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate,
North Goa, Magisterial Branch

Order

U/S 144 of the Code of Criminal Procedure of 1973

No. 40/08/2023-MAG/Bye-Election-VP/200 mtrs./1758

Whereas, the Goa State Election Commission, Altinho, Panaji-Goa, has announced the Bye-Election for Ward No. VII of Parcem Village Panchayat, Pernem Taluka and Ward No. V of St. Estevam Village Panchayat, Tiswadi Taluka is scheduled to be held on 02-07-2023 and counting of votes on 03-07-2023 in the Chamber of the concerned Mamlatdar office and the Model Code of Conduct is already in force. The Goa State Election Commission, Altinho, has issued directions to ensure free, fair, and peaceful elections;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace on the eve of the poll mainly due to misuse of hotels, restaurants, tea shops, pan shops and other food shops/joints (Dhabas, Gaddas) etc., while carrying out door to door campaigning and due to gathering of crowd at places within the vicinity of 200 meters of the Polling Stations and Counting Hall, which creates nuisance and law and order problems.

And whereas, sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is

punishable under section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

Now therefore, in exercise of the powers vested in me under sub-section (1) of section 144 of Code of Criminal Procedure, 1973 I, Mamu Hage, IAS, District Magistrate, North Goa District, hereby issue following prohibitory orders valid from 06.00 a.m. to 06.00 p.m. on the day of poll on 02-07-2023 and 06:00 a.m. to till counting process is over on 03-07-2023, in connection to the Bye-Election to Ward No. VII of Parcem Village Panchayat and Ward No. V of St. Estevam Village Panchayat;

1. That all restaurants, bars, tea shops, pan shops, eateries and other food shops/joints (Dhabas, Gaddas) etc., situated within 200 mtrs. of the Polling Station and Counting Hall shall remain closed at aforesaid date and time.
2. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of Polling Station and Counting Hall.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or

religious processions/functions. Also, the above order shall not apply to the authorized officers on Election Duty by the State Election Commission or the State Government, including the Polling officials, Magistrates, Police officials and Government staff.

Failure to comply with this order shall be liable for penal action under section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 27th day of June, 2023.

Panaji.— The District Magistrate & DEO (North),
Mamu Hage, IAS.

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